

SPEAKER LUEDTKE: All provisions of law relative to procedure having been complied with, the question is, shall the bill pass. All those in favor vote aye, opposed nay. Record the vote.

ASSISTANT CLERK: (Read record vote found on pages 658 and 659 of the Journal). 43 ayes, 0 nays, 3 excused and not voting, 3 present and not voting, Mr. President.

SPEAKER LUEDTKE: LB 443 is passed. That will conclude Final Reading. I have an introduction. In the North balcony we have three groups of 60 fourth graders from the Evelyn Hamlow School, Senator Warner's district, from Waverly. Sixty-third and fourth graders. I believe they are in three groups. Mrs. O'Maley is their teacher. Would those that are here please stand and be recognized. I might also mention that some 28 fourth graders from Senator Koch's district, the Westbrook Elementary School from Omaha were here and had to leave before we finished Final Reading. We'll note that they were present.

CLERK: Mr. President, your committee on Public Works to whom was referred LB 316 instructs me to report the same to the Legislature with the recommendation it be advanced to General File, as amended. Signed, Senator Kremer, Chairman. That is all, Mr. President.

SPEAKER LUEDTKE: We'll then proceed to our special order of the day for one hour, for the Judiciary Committee's presentation of the Criminal Code, continuing with LB 38. The Chair recognizes Senator Barnett.

SENATOR BARNETT: Mr. President, members of the Legislature. If all the members of the Legislature would get out the...I think we passed an overview out to them. We'll be talking about Article 2 today. Article 2 in the Criminal Code is the Inchoate Offenses and contains six sections. I'll tell you what we'll do, we'll give you an overview, then I'll ask for the amendments to be adopted, and then give you a section-by-section run down of Article 2. I hope, Mr. Clerk, that we've got these amendments in better shape today than we did yesterday.

CLERK: On the committee amendments, or which?

SENATOR BARNETT: I'm not back on anything yet. I'm just on overview. Section 2, as your overview will tell you, is an article which covers the crimes which are usually only collateral and incidental to the commission of one or more basic offenses, but which are nevertheless complete crimes in themselves. These crimes are similar in that each involves conduct aimed toward the commission of some substantive offense, but it is the preliminary conduct itself which constitutes the crime, regardless of whether the substantive offense was ever committed. Preliminary crimes covered in Article 2 are criminal attempt, conspiracy, accessory to a crime and aiding in the commission of a crime. The theory in punishing such offenses is that the harm, or the potential harm, to society is greater when more than one person combine to commit the crime. That is an overview of Article 2. Now, Vince, if I might, Mr. Clerk, if we could, we'll start. I believe you have a series of amendments starting with the committee amend-